

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

GENENTECH, INC.,

Plaintiffs,

v.

AMGEN INC.,

Defendant.

C.A. No. 18-924-CFC-SRF

**Original Version Filed: March 3, 2020**

**Public Version Filed: March 10, 2020**

**STIPULATION AND [PROPOSED] ORDER EXTENDING CERTAIN  
PRETRIAL SUBMISSION DEADLINES**

WHEREAS [REDACTED]

[REDACTED]

[REDACTED];

WHEREAS Epiq experienced a complete and total system-wide interruption of all services (the “Epiq outage”) beginning the morning of Saturday, February 29, 2020 (see attached Declaration of [REDACTED]);

WHEREAS, as a result of the Epiq outage, [REDACTED]

[REDACTED];

WHEREAS Amgen’s Initial Exhibit List (L.R. 16.3(c)(6)) is currently due Tuesday, March 3, 2020;

WHEREAS [REDACTED]

[REDACTED];

WHEREAS [REDACTED]

[REDACTED]

[REDACTED];

NOW THEREFORE, it is hereby stipulated and agreed by the Parties, subject to the approval of the Court, that:

Genentech, Inc. and Amgen Inc. hereby stipulate and agree, subject to the approval of the Court, to extend Amgen's deadline for service of its Initial Exhibit List for four full days, measured from the time that [REDACTED]

[REDACTED].

Genentech, Inc. and Amgen Inc. hereby further stipulate and agree, subject to the approval of the Court, that the deadline for service of Objections to Exhibits and Counter-Exhibits will be extended automatically such that it is fourteen days from the date Amgen's Initial Exhibit List is served, and the deadline for service of Objections to Counter-Exhibits is extended automatically such that it is six days from the date that Counter-Exhibits are served.

Genentech, Inc. and Amgen Inc. hereby further stipulate and agree, subject to the approval of the Court, to meet and confer and seek approval from the Court for further modifications to the Schedule for Pretrial Exchange as needed to address any impact to other deadlines caused by the Epiq outage.

No other deadlines set forth in the Stipulation and Schedule for Pretrial Exchange (D.I. 489) are affected by this stipulation.

MCCARTER & ENGLISH, LLP

/s/ Daniel M. Silver

Michael P. Kelly (#2295)  
Daniel M. Silver (#4758)  
Alexandra M. Joyce (#6423)  
Renaissance Centre  
405 N. King Street, 8th Floor  
Wilmington, DE 19801  
(302) 984-6300  
mkelly@mccarter.com  
dsilver@mccarter.com  
ajoyce@mccarter.com

*Attorneys for Plaintiff  
Genentech, Inc.*

SMITH, KATZENSTEIN & JENKINS LLP

/s/ Neal C. Belgam

Neal C. Belgam (#2721)  
Eve H. Ormerod (#5369)  
Jennifer M. Rutter (#6200)  
1000 West Street, Suite 1501  
Wilmington, DE 19801  
(302) 652-8400  
nbelgam@skjlaw.com  
eormerod@skjlaw.com  
jrutter@skjlaw.com

*Attorneys for Defendant  
Amgen Inc.*

Dated: March 3, 2020

**SO ORDERED** this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
United States District Judge